

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case. No. 23-cr-322 (ECT/DJF)

Plaintiff,

v.

**AMENDED
SCHEDULING ORDER**

Norman Darnell Toney (1),

Defendant.

This matter is before the Court on Defendant Norman Darnell Toney's Motion for Extension of Time to File Pretrial Motions ("Motion") (ECF No. 36). Due to the Government's voluminous disclosures, Mr. Toney requests an additional two weeks to file any motions, to continue the motion hearing currently scheduled for June 6, 2025, and to exclude time from the Speedy Trial Act calculations in this case. (*Id.* at 2.) The Government does not oppose the Motion. (*Id.* at 1.) The Court has reviewed the Motion (ECF No. 36) and Statement of Facts (ECF No. 37) and finds good cause for a continuance.

Accordingly, **IT IS ORDERED** that Defendant Norman Darnell Toney's Motion (ECF No. 36) is **GRANTED** as follows:

1. Defendant's pretrial motions must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 and Local Rule 12.1(c) on or before **May 30, 2025**.
2. **Counsel must electronically file a letter on or before May 30, 2025, if no motions will be filed and there is no need for hearing.**
3. All responses to motions, along with a Notice of Intent to Call Witnesses, must be filed by **June 13, 2025**, in accordance with Local Rule 12.1(c)(3)(A).

4. Any Responsive Notice of Intent to Call Witnesses must be filed by **June 16, 2025**, in accordance with Local Rule 12.1(c)(3)(B).
5. The motions hearing currently scheduled for **June 6, 2025 at 1:30 p.m.** is **CANCELED**.
6. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(b) and (c) if:
 - a. The United States makes timely disclosures and the Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
 - b. Oral argument is requested by either party in its motion, objection or response pleadings.
7. If required, a motions hearing will be held before Magistrate Judge Dulce J. Foster on **July 2, 2025 at 1:00 p.m.**, in **Courtroom 8E**, United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55415.
8. Trial and trial-related dates will be set by separate Order.

Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by the granting of a continuance outweigh the best interest of the public and Defendant in a speedy trial. This finding is based on all the files, records and proceedings herein, including the facts set forth in the Motion. Accordingly, the period of time from **May 16, 2025**, the prior motions deadline, through **May 30, 2025**, the new motions deadline, shall be excluded from the Speedy Trial Act computations in this case.

Dated: May 19, 2025

s/ Dulce J. Foster
DULCE J. FOSTER
United States Magistrate Judge